Remarks

Claims 12-15, 17-21, and 23-31 are pending in this application.

Applicants respectfully request that the amendments be entered in the specification. The amendments to the specification correct obvious errors which occurred during preparation of the application.

Applicants respectfully submit that a monoester of a dicarboxylic acid as defined in claim 12 would be an anionic surfactant. In addition, sorbic acid is not a dicarboxylic acid and the entry at page 4, line 8, is a clear error. Applicants respectfully submit that the amendment to the specification does not enter new matter.

Claims 12 and 18 have been amended to indicate that the partial ester of a dicarboxylic acid is an anionic surfactant. Claims 14 and 20 have been amended to delete the term "sorbic acid" since sorbic acid is a known monocarboxylic acid. Applicants respectfully submit that the amendments to the claims do not enter new matter but are fully supported in the specification and claims as originally filed or correct minor errors which occurred during preparation of the application. Applicants respectfully request entry of the amendments and favorable consideration.

As presently claimed, the application is directed to a composition comprising an alkyl and/or alkenyl oligoglycoside; and an anionic surfactant foam stabilizer. The composition comprises a nonionic surfactant in the alkyl/alkenyl oligoglycoside and an anionic surfactant which is the monoester of a dicarboxylic acid or the salt thereof.

Applicants respectfully submit that the addition of the anionic surfactant which is the monoester of a dicarboxylic acid was not known as a foam stabilizer for alkyl or alkenyl oligoglycosides. As one skilled in the art would understand, alkyl and alkenyl oligoglycosides are known as good foaming surfactants. However, the foam is not stable and the volume of foam is substantially reduced in a short time period after the foam is produced. The non-stability of the foam is a disadvantage for the use of the

alkyl or alkenyl oligoglycosides in consumer products in which foam stability is required. Foam stability is a useful advantage in products such as shampoos and hand dishwashing formulations.

Applicants submit that it was unexpectedly discovered by the inventors of the present application that the addition of the monoesters of a dicarboxylic acid to an alkyl or alkenyl oligoglycoside composition would substantially enhance the foam stability of the composition. The foam stability is clearly set forth in the examples presented in the present application. Claims 12-15, 17-21, and 23-31 stand rejected under 35 U.S.C. 103(a) as unpatentable over Ansmann (U.S. 6, 235,702) in view of WO 96/15138 (hereinafter "WO"), or over U.S. '702 by itself. Applicants respectfully submit that U.S. '702 and WO, whether considered alone or in combination neither teach nor suggest the present invention.

U.S. '702 is directed to an aqueous luster concentrate. The composition of '702 comprises a pearlescent wax at from 1-99.9% by weight. The pearlescent wax comprising esters of polybasic and optionally hydroxy-functionalized carboxylic acids with fatty alcohols containing 6-22 carbon atoms and 0.1-90% by weight of an anionic, nonionic, cationic, ampholytic and/or zwitteronic emulsifier. The composition can contain up to 40% by weight of polyols as an optional ingredient.

The composition as claimed in '702 is a composition containing the pearlescent wax and a surfactant. As one skilled in the art would understand, a pearlescent wax is not a surfactant since it is insoluble in the composition into which it is added. The insolubility of the pearlescent wax permits the material to remain in a platelet form and provide an appearance to one looking at the composition as that of having a pearl-like texture. Applicants respectfully submit that there is neither teaching nor suggestion in '702 to provide a composition which does not contain the pearlescent wax but contains a nonionic alkyl or alkenyl oligoglycoside and an anionic surfactant which is a monoester of a dicarboxylic acid or a salt thereof. Since neither the alkyl or alkenyl

oligoglycoside nor the monoester of a dicarboxylic acid are aqueous materials, the composition of the present invention would neither be taught nor suggested by '702.

To arrive at the composition of the present invention, one would have to remove the pearlescent wax from the composition and substitute therefore a surfactant which is a monoester of a dicarboxylic acid. Applicants respectfully submit that '702 would neither teach nor suggest the composition of the present invention.

The deficiencies in '702 are not cured by combination with WO. As discussed in the previous response which is incorporated herein by reference, WO discloses and claims an alkyl polyglycoside composition having improved tactile properties and reduced crystallization. The tactile properties and the reduced rate of crystallization is obtained by introducing an additive into the alkyl polyglycoside. The ratio of alkyl polyglycoside to additive is in the range of 500:1 to 15:1.

None of the additives set forth in the specification and claims is a monoester of a dicarboxylic acid wherein the ester group is formed by fatty alcohol having from 6-22 carbon atoms. WO does not teach or suggest salts of the ester useful in the practice of the present invention.

The additives useful in WO are substantially different from the monoesters of dicarboxylic acids and salts thereof useful in the practice of the present invention. Applicants respectfully submit there is neither teaching nor suggestion to one skilled in the art that the monoalkyl ester of a diacid or the salt thereof would have any effect on the crystallization rate or tactile properties of an alkylpolyglycoside.

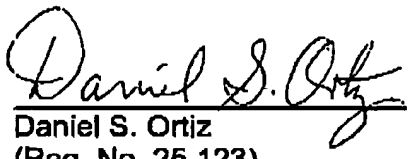
In addition, there is neither teaching nor suggestion in WO that the monoester of a dicarboxylic salt thereof as disclosed in the present application or any other composition disclosed in WO would have any effect on the stability of an alk(en)yl polyglycoside foam. Applicants respectfully submit that WO bears no relation to the present invention.

WO would, in combination with '702, neither teach nor suggest the present

invention. Applicants respectfully submit that there is neither teaching nor suggestion to combine WO with '702. Applicants submit that to be a proper combination on which a rejection under 35 U.S.C. 103(a) can be based, the combination must contain some suggestion to make the combination of references. In the present case, Applicants respectfully submit that there is no teaching, suggestion or incentive to combine WO with '702. Applicants respectfully submit that there is neither teaching nor suggestion of the enhanced foam stability of the composition and method of the present invention in the combination of '702 with WO.

In view of the amendments entered in the claims and the above discussion, Applicants respectfully submit that the application is in condition for allowance and favorable consideration is requested.

Respectfully submitted,



Daniel S. Ortiz
(Reg. No. 25,123)
Attorney For Applicant(s)
215-628-1141

Cognis Corporation
Patent Department
300 Brookside Avenue
Ambler, PA 19002
DSO/mc H\DATA\ORTIZ\C2079am.doc